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[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

DONALD NOBLES, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

MBNA CORPORATION, et al.,

Defendants.

) No. C-06-03723-CRB(JL)

) CLASS ACTION

) ~~PROPOSED~~ ORDER  
) RE: VACATING PRETRIAL DEADLINES  
) DUE TO SETTLEMENT IN PRINCIPLE

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1 WHEREAS, the Court had previously stayed this action on March 6, 2007 for 90 days while  
2 the parties attempted to mediate;

3 WHEREAS, the parties unsuccessfully mediated this action on May 24, 2007 and thereafter  
4 proceeded with discovery;

5 WHEREAS, the parties mediated this action before the Honorable William J. Cahill (Ret.) on  
6 April 29, 2008 and again on May 7, 2008;

7 WHEREAS, the parties believe they have reached a settlement in this action and are in the  
8 process of preparing preliminary approval papers for the Court's consideration;

9 WHEREAS, the parties are working in good faith to document the settlement and submit it to  
10 the Court for its review;

11 WHEREAS, although this is a proposed class action settlement, the parties have agreed to  
12 use reasonable best efforts to complete final documentation of the settlement within 120 days;

13 WHEREAS, the parties agree that it will serve judicial efficiency and be in the best interest  
14 of all parties if all currently scheduled deadlines in this action were vacated, including the following  
15 pre-trial dates pursuant to the Court's March 17, 2008 Stipulation and Order Re: Modifying Class  
16 Certification Schedule (Dkt. No. 159):

- 17 1. Plaintiff's motion for class certification due May 23, 2008;
- 18 2. Defendants' opposition to class certification due June 27, 2008;
- 19 3. Plaintiff's reply to class certification due on July 28, 2008; and
- 20 4. Class Certification hearing scheduled for August 8, 2008;

21 WHEREAS, no trial date has been scheduled in this action;

22 THEREFORE, the parties, by and through their counsel, stipulate and agree that all currently  
23 scheduled pre-trial deadlines in this action should be vacated including:

- 24 1. Plaintiff's motion for class certification due May 23, 2008;
- 25 2. Defendants' opposition to class certification due June 27, 2008;
- 26 3. Plaintiff's reply to class certification due on July 28, 2008; and
- 27 4. Class Certification hearing scheduled for August 8, 2008.

1 The parties further stipulate and agree, by and through their counsel, that they will jointly file  
2 a status report in 90 days to advise the Court of their progress in documenting the settlement and of  
3 the expected timing of the motion for preliminary approval.

4 IT IS SO STIPULATED.

5 DATED: May 15, 2008

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10 /s/ Azra Z. Mehdi  
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27 Attorneys for Plaintiff  
28

1 DATED: May 15, 2008

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4 /s/ Sharon Douglass Mayo  
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13 I, Azra Z. Mehdi, am the ECF User whose ID and password are being used to file this  
14 Stipulation And [Proposed] Order Re: Vacating Pretrial Deadlines Due to Settlement in Principle. In  
15 compliance with General Order 45, X.B., I hereby attest that Sharon Douglass Mayo has concurred  
16 in this filing.

17  
18 /s/ Azra Z. Mehdi  
AZRA Z. MEHDI

19 \* \* \*

20 **ORDER**

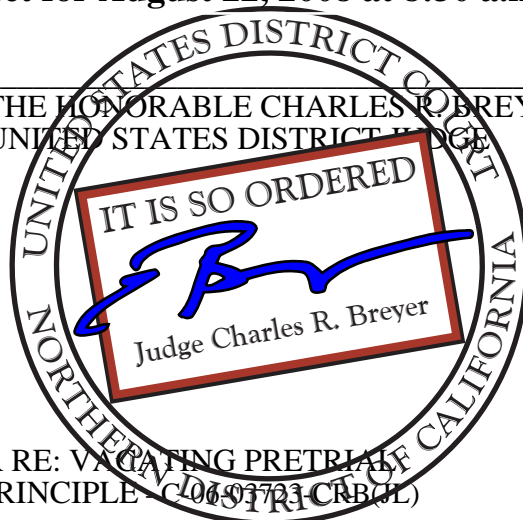
21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 **Case management conference set for August 22, 2008 at 8:30 a.m.**

23 DATED: May 16, 2008

24 THE HONORABLE CHARLES R. BREYER  
UNITED STATES DISTRICT COURT

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STIPULATION AND [PROPOSED] ORDER RE: VACATING PRETRIAL  
DEADLINES DUE TO SETTLEMENT IN PRINCIPLE C-06-03723-CRB(JL)